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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/558,691	04/25/2000	Terry M. Olkin	INFOP002	9136

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INTELLECTUAL PROPERTY LAW OFFICE  
1901 S. BASCOM AVENUE, SUITE 660  
CAMPBELL, CA 95008

EXAMINER

ZAND, KAMBIZ

ART UNIT PAPER NUMBER

2132

DATE MAILED: 02/05/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/558,691

Applicant(s)

OLKIN'ET AL.

Examiner

Kambiz Zand

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2132

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 25 April 2000.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 25 April 2000 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☒ The proposed drawing correction filed on 25 October 2002 is: a) ☒ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

**Priority under 35 U.S.C. §§ 119 and 120**

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)                      4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)                      5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_\_                      6) ☐ Other: \_\_\_\_\_

**DETAILED ACTION**

1. **Claims 1-20** have been examined.

***Claim Rejections - 35 USC § 103***

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. **Claims 1-20** are rejected under 35 U.S.C. 103(a) as being unpatentable over McArdle et al (6,442,686 B1) in view of Hussey (6,230,156 B1).

**As per claims 1-2, 5, 7-8, 11-12, 15, 17 and 20** McArdle et al (6,442,686 B1) teach encryption of e-mail message based on a message key and enclosing an message id to form a secure e-mail (see fig.4, item 401,403 and 410 wherein an encryption using a secret key or a message key is performed; col.10, lines 49-61); wherein the message id, message keys are stored in a server to be received by sender and the receiver (see fig.3, item 380; col.3, lines 26-67 and col.4, lines 1-27 and col.2, lines 44-46) and transmitting the message between the sender and the receiver (see abstract) wherein the message consist of a body field (see col.12, lines 23-25) and wherein the message received is decrypted using the message key (see fig.1A; col.4, lines 65-67; col.8, lines

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13-18) and wherein the message parts are encrypted according to encryption policy (see col. 4, lines 18-21) but do not disclose explicitly message fields format. However Hussey teaches message format includes various field such as sender's address field, receiver's address field, subject field, other receiver's address field, body field (see fig.3) and also draws conclusion that other fields may be added to the message format such as owner's login id's or task identifier (see col.9, lines 46-53). It would have been obvious to utilize Hussey's message format in McArdle's secure e-mail encryption method using McArdle's management encryption policies in order to translates the messages into a format recognizable by the requestor's processor.

**As per claims 3-4 and 13-14** McArdle et al (6,442,686 B1) teach all limitation of the claim but do not explicitly disclose association of sender id with e-mail address and the password is derived fro sender's password to be used in message format. However Hussey teaches sender address field that is used as sender id (see fig.3, item 50 and that login id of an owner could be as part of a field of message format (see fig.4, row 4; fig.5 and col.9, lines 44-45). It would have been obvious to utilize Hussey's message format in McArdle's secure e-mail encryption method using McArdle's management encryption policies in order to translates the messages into a format recognizable by the requestor's processor.

**As per claims 6, 9-10, 16 and 18** McArdle et al (6,442,686 B1) teach using digital signature as a part of the message encryption and wherein hashing is an integral part of

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the digital signature and upon decryption comparing the digests of the message in order to be sure that the message is not altered during the transmission (see col.2, lines 19-41; col.5, lines 64-67 and 20-23 and col.6, lines 45-48).

**As per claim 19** employing secure socket layer (SSL) protocol in communication is well known in the art and examiner refers applicant to U.S. patent 5,848,161A as a support of such well-known protocol.

### **Conclusion**

4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure:

U.S. Patent No. US (6,023,700 A) teach electronic mail distribution system for integrated electronic communication.

U.S. Patent No. US (6,289,105 B1) teach method and apparatus for encrypting and transferring electronic mail.

U.S. Patent No. US (5,748,735 A) teach securing e-mail communications and encrypted file storage using yaksha split private key asymmetric cryptography.

U.S. Patent No. US (5,848,161 A) teach method for providing secured commercial transaction via a networked communication system.

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5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kambiz Zand whose telephone number is (703) 306-4169. The examiner can normally be reached on Monday-Thursday (8:00-5:00). If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Gilberto Barron can be reached on (703) 305-1830. The fax phone numbers for the organization where this application or proceeding is assigned are as follows:


After-Final (703) 746-7238

Official (703) 746-7239

Non-Official/Draft (703) 746-7240

Kambiz Zand

  
01/30/03

  
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